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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/689,873	10/21/2003	Craig C. Mateer	035809-0101	3347
23524	7590	10/28/2004	EXAMINER	
FOLEY & LARDNER 150 EAST GILMAN STREET P.O. BOX 1497 MADISON, WI 53701-1497			TRAN, KHOI H	
			ART UNIT	PAPER NUMBER
			3651	

DATE MAILED: 10/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/689,873	Applicant(s) MATEER, CRAIG C.	
	Examiner Khoi H Tran	Art Unit 3651	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 October 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


KHOI H. TRAN
PRIMARY EXAMINER

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the kiosk must be shown or the feature(s) canceled from claims 2, 11, and 14. No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 101

2. Claim 9 is rejected under 35 U.S.C. 101 because it claims a human being, an attendant. According to 35 USC 101 and the United States Constitution, the grant of a limited, but exclusive property right in a human being is prohibited.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1, 3, 6, 9, and 12 rejected under 35 U.S.C. 102(e) as being anticipated by Quackenbush et al. 6,512,964.

Quackenbush '964 discloses a system and method for remotely arranging the transportation of baggage for passengers per claimed invention. The system comprises a network that provides access to a travel reservation and information

server (Figure 3) from any location. From this server, user can purchase airline tickets and arrange for remote baggage pick up by a ground delivery operator (GOD). The remote pick up location includes hotel area. Upon baggage pick up, the GOD confirms that the baggage owner possesses proof of ticket purchase and personal identification via a client computer that connects with said network and server. The GOD then tags the baggage with a scannable tag and delivers the baggage to a screening facility, and subsequently to the airplane.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 4, 13, 15-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Quackenbush et al. 6,512,964.

In regards to claim 4, it is obvious that the confirmed airline passenger would be provided with a boarding pass in order to board the destined plane.

In regards to claim 13, Quackenbush '964 discloses all elements per claimed invention. However, it is silent the printing step for the boarding pass and baggage identification.

Nevertheless, It would have been obvious for a person with ordinary skill in the art, at the time the invention was made, to have provided to Quackenbush

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'964 with the printing step because it facilitates the physical manifest of the boarding pass and baggage tag.

In regards to claim 17, it is obvious that the passenger baggage can be arranged to be picked up less than 12 hours from flight departure.

7. Claims 2, 11, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Quackenbush et al. 6,512,964 as applied to claims 1, 9, and 13 above, and further in view of Yamazaki 5,793,639 or in view of Mekata 4,984.

Quackenbush '964 discloses all elements per claimed invention as explained in paragraphs 3 and 5 above. However, it is silent as to the specific of Quackenbush '964 client computer being part of a kiosk.

Yamazaki '639 and Mekata '984 disclose a computer terminal in the form of a modular kiosk.

It would have been obvious for a person with ordinary skill in the art, at the time the invention was made, to have made Quackenbush '964 client computer part of a kiosk because it facilitates a modular housing for the client computer, as shown by Yamazaki '639, or Mekata '984.

8. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Quackenbush et al. 6,512,964 in view of Manabe 6,594,547.

Quackenbush '964 discloses all elements per claimed invention as explained in paragraph 3 above. However, it is silent as to the specific of the baggage scannable tag being in the form of a barcode.

Manabe '6,594,547 discloses of a commonly well-known scannable barcode for a baggage tag.

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It would have been obvious for a person with ordinary skill in the art, at the time the invention was made, to have provided Quackenbush '964 scannable tag with a barcode because it facilitates it provides a commonly well known scannable baggage tag, as shown by Manabe '547.

9. Claims 7, 8, 10, 18, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Quackenbush et al. 6,512,964 in view of Braveman et al. 5,401,944.

Quackenbush '964 discloses all elements per claimed invention as explained in paragraphs 3 and 5 above. However, it is silent as to the specific of the valet service, concierge service, checkout service, security service, bellhop service, parking garage service, or room service being provided along with the remote baggage service from the hotel.

Braveman '944 discloses an example of a commonly well-known bellhop service provided via the handling of airline passenger/hotel guest's baggage.

It would have been obvious for a person with ordinary skill in the art, at the time the invention was made, to have provided additional valet service, concierge service, checkout service, security service, bellhop service, parking garage service, or room service to any hotel establishment, including the hotel mentioned in Quackenbush '964 because it provides commonly well-known additional amenities and services to hotel guests. These services are also commonly well known in any 5-star rated hotels.

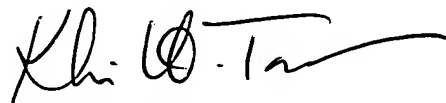
Conclusion

10. Additional references made of record and not relied upon are considered to be of interest to applicant's disclosure: see attached USPTO Form 892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khoi H Tran whose telephone number is (703) 308-1113. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Ellis can be reached on (703) 308-1113. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Khoi H Tran
Primary Examiner
Art Unit 3651

KHT
10/22/2004